

REMARKS

This is responsive to the Office Action mailed on September 7, 2006. In that Office Action, claims 1, 2, 4-8, 17, 18 and 20-24 were rejected. Claims 1, 2, 4-8, 17, 18 and 20-24 continue in this application.

The Office Action rejected claims 1, 2, 4-6, 8, 17, 18, 20-22 and 24 under 35 U.S.C. § 103(a) as being unpatentable over the Ruuttu et al. (WO 01/38005) in view of Stash et al. U.S. Patent No. 6,001,425. The Office Action alleged that Ruuttu et al. teaches an apparatus for coating a workpiece with a coating solution comprising a coating chamber in which the workpiece is coated, a coating solution supply container for supplying the coating solution to the coating chamber, a fluid connection fluidly connecting the coating chamber and the coating solution supply container such that the coating solution is flowable between the coating chamber and the coating solution supply container wherein the container is positionable to different elevations allowing coating solution flow from the supply container to the coating chamber and vice versa. The Office Action stated that Ruuttu et al. did not teach the use of a deformable or collapsible bladder type coating solution supply container.

The Stash et al. patent was cited alleging that it teaches the design of a coating apparatus which includes a coating chamber in which a work piece is coated and a deformable or collapsible plasma bag or bladder in a supply tank for dispensing the coating directly into a coating chamber which is an alternative to dispensing from the supply tank.

Applicant respectfully disagrees.

In order to establish a prima facie case of obviousness, three basic criteria must be met (MPEP §2143). First, there must be some suggestion or motivation, either in the references themselves or the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference or references when combined must teach or suggest all the claim limitations.

The alleged combination of the Ruuttu et al. PCT published patent application in view of the Stash et al. U.S. patent does not meet the first criterion. The plasma bag 52 as shown in Figure 10 of Stash et al. is deformed from all sides in order to supply the slurry within the bag to

provide the vessel 12 with the slurry 18. There is no teaching nor suggestion of the bag 52 being positionable to an elevation in relation to the coating chamber that results in the coating solution flowing into the coating chamber. Since it is clear from Figure 10a and 10b that a positive pressure on the bag 52 results in flow of slurry to the vessel 12 while a negative pressure (Figure 10b) results in slurry flowing from the vessel into the bag 52, there is absolutely no need to position the bag 52 at different elevations in order to make the slurry flow to and from the vessel 12. In other words, there is no motivation or teaching in Stash et al. for positioning the bag 52 at different elevations.

Similarly, there is no motivation or teaching in Ruuttu et al. to utilize a deformable coating solution supply container. In fact, even minor vibrations are to be avoided using the apparatus of the Ruuttu et al. See Page 1, lines 18-22. In contrast, the deformable bag of Stash et al., as mentioned above, has a primary purpose of keeping the “slurry 18 agitated during the filling and emptying of vessel 12” (Column 4, lines 33, 34). This agitation goes directly against the teaching of Ruuttu et al. It is clear that Ruuttu et al. cannot supply the motivation or suggestion for a deformable bag.

The only place where one can find the motivation or suggestion using a deformable bag in Ruuttu et al. is Applicant’s disclosure. To use Applicant’s disclosure as a guide is impermissible.

In view of the above, it is respectfully requested that the rejection of claims 1, 2, 4-6, 8, 17, 18, 20-22 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Ruuttu et al. in view of Stash et al. be withdrawn and the claims allowed.

The Office Action also rejected claims 5, 7, 21 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Ruuttu et al. in view of Stash et al. as applied to claims 1, 2, 4-6, 8, 17, 18, 20-22 and 24 above in further view of the Cranskens et al. U.S. Patent 3, 296,951. The Office Action cited Cranskens et al. alleging that it disclosed a plate to apply pressure to a collapsible or deformable supply bag to supply coating material to a coating chamber and the release of the plate to relieve pressure to enable coating material to flow back into the coating material supply bag. Cranskens et al. describes a photocopying apparatus that utilizes a spring pressure plate 31 for compressing a developer bag 34 that supplies developer fluid into a developer dish through a sleeve 35. However, as discussed above, with respect to the combination of Ruuttu et al. and Stash et al., there is no motivation nor is there any suggestion in either of those references themselves or in the

knowledge generally available to one of ordinary skill in the art to combine such reference teachings. In view of the discussion above with respect to Ruuttu and Stash et al., it is respectfully requested that the rejection of claims 1, 2, 4-6, 8, 17, 18, 20-22 and 24 in further view of Cranskens be withdrawn and the claims allowed.

Respectfully submitted,

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